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DEPT FOR DRL, INL, AND EUR/SCE, NSC FOR BRAUN, USUN FOR
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TAGS: [GTIP](#) [KJUS](#) [KCRM](#) [PGOV](#) [UNMIK](#) [YI](#)

SUBJECT: KOSOVO: TRAFFICKING IN PERSONS REMAINS A PROBLEM,
INTERNAL VICTIMS INCREASING

Classified By: COM TINA KAIDANOW FOR REASONS 1.4 (B) AND (D).

[¶1.](#) (SBU) SUMMARY: Trafficking in persons (TIP) continues to plague Kosovo, but UNMIK and the Provisional Institutions of Self-Government (PISG) have taken some important steps to combat it, including undercover police operations, adoption of a two-year action plan to combat trafficking in human beings, and interviewing at-risk foreign females identified through Office of Foreign Registration records. In October 2006, the Kosovo Police Service (KPS) mounted three major anti-trafficking actions, resulting in 21 women being rescued and placed in shelters. Unfortunately, those raids highlighted the complexity of TIP in Kosovo. The women rescued in two of the raids later changed their stories, and the presiding judge ultimately allowed them to leave the shelters and go back to work, despite KPS objections. END SUMMARY.

The Trafficking Problem in Kosovo

[¶2.](#) (SBU) Trafficking in persons remains a problem in Kosovo. It is a source, transit and destination point for trafficked persons, and victims tend to be women and children trafficked internally or from Eastern Europe, the Balkans and the former Soviet Union into Kosovo, primarily for sexual exploitation, but also for domestic servitude or forced labor in bars and restaurants, and through Kosovo to Macedonia, Albania and Western Europe. According to the International Organization of Migration (IOM), 45 percent of victims are recruited through job promises, 24 percent are kidnapped or forced to come to Kosovo, and 12 percent are given false promises of marriage.

Trends

[¶3.](#) (SBU) Internal trafficking is a growing problem in Kosovo, and the number of internally trafficked women and girls slightly surpassed the number of foreign victims thus far in 2006. (Note: The numbers are very close, so this may not be true by year-end. End Note.) According to IOM, young girls and women from rural areas are particularly at risk, as

are those from urban areas with a high level of poverty, unemployment and illiteracy. They also believe internally trafficked women and girls face worse conditions than foreign victims of trafficking (VOT).

¶4. (SBU) While there are still reports of VOTs being subjected to beatings, rape, denial of access to health care and confiscation of travel and identity documents, traffickers seem to be changing their tactics. Anecdotal evidence suggests VOTs are being treated better so that they have less incentive to request assistance and that traffickers are shifting the commercial sex trade out of public bars and hotels and into private homes and escort services to better avoid detection.

Anti-trafficking Laws

¶5. (SBU) UNMIK regulations criminalize TIP. Conviction for trafficking is punishable by 2 to 20 years in prison, while engaging or attempting to engage in trafficking is punishable by 2 to 12 years in prison or up to 15 years if the victim is under 18. Organizing a group to engage in trafficking is punishable by 5 to 20 years in prison, and facilitating trafficking through negligence is punishable by 6 months to 5 years in prison. The maximum sentence for clients of VOTs is up to 5 years if the victim is an adult and up to 10 years if she is under 18, but proving the client knew he was with a VOT is a challenge.

Law Enforcement Efforts to Combat Trafficking

¶6. (SBU) UNMIK's Trafficking in Human Beings Section and the Kosovo Police Service (KPS) Section for Trafficking in Human Beings (SITHB) worked together on TIP until May 2006, when

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the competence was completely transferred to the SITHB. SITHB records indicate that from January through August 2006, they conducted 127 observations, including 21 secret operations, 11 of which were with local inspectors. They also searched 946 premises suspected of being used for TIP and prostitution, and closed 20 of them. They arrested 22 people for trafficking, 3 for offering prostitution, 11 for prostitution, and 17 on trafficking-related charges, such as illegal weapons possession and counterfeiting. They rescued 37 VOTs, 27 of whom received needed assistance. From January through October 2006, a total of 57 new cases were opened, 45 were closed, and 384 remained under investigation.

¶7. (C) The prosecutor's office filed 34 cases for trafficking in persons, but only 4 were resolved as of the end of October 2006, resulting in 3 convictions. Factors contributing to the low conviction rate included the lack of a witness protection program (although anonymity is provided during the trial through written testimony) and inadequate training for judicial personnel. Zyle Feritaj (protect) of the KPS SITHB confided to poloff and RLA that judges and prosecutors need to be better educated to deal with TIP cases. She was particularly concerned with cases in which judges ordered women sent to or released from shelters despite KPS SITHB objections. She believed some VOTs were put back on the street, while suspected recruiters were put in shelters where they could prey on vulnerable women and girls.

Other Efforts to Combat Trafficking and Assist Victims

¶8. (SBU) In addition to UNMIK, KPS SIHTB, and Kosovo judges and prosecutors, the border police, the OSCE, the Prime Minister's Advisory Office on Good Governance (AOGG), and ministries of health, education, interior, public services, justice, labor and social welfare are responsible for combating TIP in Kosovo. NGOs and international organizations, especially IOM, handle protection and prevention-related anti-trafficking activities. In May 2005, Kosovo's Provisional Institutions of Self-Government (PISG)

released a two-year action plan to combat trafficking that consolidated government anti-trafficking efforts and established a Counter-trafficking secretariat within the AOGG and a National Counter-trafficking Coordinator (NCC). The action plan also assigned counter-trafficking activities to other governmental and non-governmental actors.

¶9. (SBU) Where assistance to victims is concerned, international and local NGOs are the main actors. Local NGOs, such as the Center to Protect Victims and Prevent Trafficking (PVPT) and Hope and Homes, operate shelters that provide medical care and psychological counseling services to victims in cooperation with the PISG, OSCE and the IOM. An interim security facility also provides temporary shelter to victims while they consider whether to be repatriated or testify against their traffickers. Police often refer victims to IOM through the OSCE regional offices, and the IOM assists them with repatriation.

KPS Making Busts, But Judges Are An Obstacle

¶10. (C) Anecdotal evidence suggests the KPS SITHB may be more aggressively combating TIP, but that the judicial system is an obstacle. SITHB efforts netted three busts in October 2006, resulting in the rescue of 21 foreign VOTs. On October 3, SITHB rescued 7 Moldovan women, including a 17-year-old, and arrested three Kosovar Albanian men in Prizren on suspicion of trafficking. The KPS took the women to a shelter, where they later claimed they were not victims. Despite KPS objections, the judge presiding over the case ordered their release from the shelter because they wanted to remain in Kosovo and go back to work. On October 5, KPS SITHB officers raided a nightclub in suburban Pristina and arrested five Kosovar Albanian men and two Moldovan women on suspicion of trafficking. They took in six other Moldovan

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women as possible VOTs. The next day, however, police arrested the six for concealing the act of human trafficking and recruiting other females for prostitution in cooperation with the nightclub's owners and workers. All of the women later claimed they were VOTs and were sent to the Ministry of Justice shelter. As in the Prizren case, when they changed their minds again and said they wanted to go back to work, the judge ordered their release from the shelter despite KPS objections. On October 24, five Kosovar Albanians were arrested for trafficking following a KPS raid on a bar in Pristina, and six Moldovan women were identified as VOTs and sent to a shelter. The SITHB Chief, Lieutenant Colonel Ramadan Ahmeti (protect), told poloff that the women appeared before a judge and gave a statement. They will remain in a shelter until they can be repatriated. (Note: In the first two cases mentioned above, the KPS SITHB used surveillance equipment donated by the U.S. Department of Justice in September 2006. End Note.).

¶11. (SBU) COMMENT: Trafficking in persons remains a problem in Kosovo, and the rise in internal trafficking is of special concern. Kosovo is taking steps to combat trafficking and assist victims, making particular strides in law enforcement and victims assistance, but this is a very complex issue. As the cases above illustrate, VOTs are reluctant to come forward and often change their stories, most likely out of fear of their traffickers. While the KPS SITHB's three police actions in October 2006 are a hopeful sign, the fact that judges released VOTs from shelters and placed suspected recruiters in shelters over KPS SITHB objections is worrisome. USOP will continue to closely monitor and report on TIP issues in Kosovo. END COMMENT.

¶12. (SBU) U.S. Office Pristina clears this cable in its entirety for release to U.N. Special Envoy Martti Ahtisaari. KAIDANOW